

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE:)
)
Tamara Sue Crews) Case No. 14-35243
 Debtor) Chapter 13

**MOTION BY TRUSTEE TO CONVERT CASE
FROM CHAPTER 13 TO CHAPTER 7**

COMES NOW, the Chapter 13 Trustee, by counsel, and pursuant to 11 U.S.C. 1307 (c) moves the Court to convert this case from a Chapter 13 case to a case under Chapter 7 of the Bankruptcy Courts; and in support of the Trustee's Motion to Convert this Case states as follows:

1. The Debtor is currently a Debtor in a Chapter 13 case pending before this Court filed on September 29, 2014;
2. Carl M. Bates has been appointed the Chapter 13 Trustee in this case, and the 341 hearing has been conducted and completed;
3. The plan dated October 23, 2014 has been confirmed;
4. Upon information and belief, it appears that the debtor paid her attorney, Nnika E. White, \$33,490.00 approximately two weeks prior to filing the instant case. Upon information and belief this payment was for outstanding legal fees for services unrelated to the bankruptcy case and dating back to 2005. This payment was not disclosed in the debtor's Statement of Financial Affairs and your Trustee did not become aware of the payment until after confirmation of the plan.
5. Your Trustee suggests that this payment was a preference that is avoidable under section 547 and that the circumstances of this case suggest that a conversion to Chapter 7 would be in the best interest of the creditors and the estate.
6. The Trustee moves the Court to defer payment of the cost to convert the case until the case is Ordered converted.

WHEREFORE, the Chapter 13 Trustee, by Counsel, hereby moves the Court to convert this Chapter 13 case to a Chapter 7 case, and defer payment of the cost to convert the case until the case is Ordered converted.

Carl M. Bates
By Counsel

Susan H. Call
Counsel for Carl M. Bates
Chapter 13 Trustee
P. O. Box 1890
Richmond, Virginia 23218-1780

By: _____ /s/ Susan H. Call
Susan H. Call, VSB #34367
Counsel for Trustee

CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2015, a copy of the foregoing Motion was electronically transmitted and/or mailed, first class mail, postage prepaid, to Tamara Sue Crews, Debtor, to Nnika White, by electronic notification at: nwhite@whitelawva.com, Counsel for the Debtor, and to all necessary parties in interest.

/s/ Susan H. Call

Susan H. Call, VSB #34367